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PATENT Attorney Docket No.: JAL1100-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

A. Battaglia

Art Unit:

1617

Application No.:

10/053,313

Examiner:

T.J. Criares

Filed:

January 18, 2002

Title:

GUM RESIN AS A CARRIER FOR TOPICAL APPLICATION OF

PHARMACOLOGICALLY ACTIVE AGENTS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL SHEET

Sir:

Transmitted herewith for the above-identified application, please find:

- 1. Response to the Office Action mailed February 3, 2004 (7 pages);
- 2. Declaration Under 37 C.F.R. § 1.132 (11 pages, including attached CV);
- 3. Return Postcard.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, March 19, 2004, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Shelley M. Callagy

(Name of Person Mailing Pap

(Signature)

Applicant: A. Battaglia Attorney Docket No.: JAL1100-1

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No fee is believed due in connection with this Response to Office Action. However, if a fee is deemed necessary, the Commissioner is hereby authorized to charge any required fees associated with the filing submitted herewith to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: March 19, 2004

Lisa A. Haile, J.D., Ph.D. Registration No.: 38,347 Telephone: (858) 677-1456 Facsimile: (858) 677-1465

USPTO Customer Number: 28213 GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, CA 92121-2133

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RESPONSE

Sir:

In response to the Office Action mailed February 3, 2004, please consider the following remarks:

Remarks/Arguments begin on page 2 of this paper.

CERTIFICATION UNDER 37 CFR §1.8

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Shelley M. Callagy

(Name of Person Maling Par

(Signature)